



New Jersey Department of Children and Families Policy Manual

Manual:	CON	Contracting	Effective Date:
Volume:	I	Contract Policy and Information Manual (CPIM)	
Chapter:	A	Contract Policy and Information	8-31-2007
Subchapter:	4	Contract Policy and Information	
Issuance:	4.03.2007	Lobbying	Revised:
			8-1-2008

I. PURPOSE

The purpose of this policy is to reinforce that entities that receive funds from DCF may not use those funds for lobbying activities. The contents of this policy are based on a revision of federal OMB Circular A-122, "Cost Principles for Non-Profit Organizations", Lobbying and Related Activities, published in the Federal Register Volume 49, Number 83, April 27, 1984, and the NJ State Budget FY 2008-2009. This policy does not limit a Provider Agency's ability to engage in any lobbying activities. A Provider Agency may engage in lobbying activities and fund these activities from another source.

II. SCOPE

This policy applies to all entities that provide services for, or act on behalf of, the Department of Children and Families.

III. DEFINITIONS

Lobbyist means any person, partnership, committee, association, corporation, labor union or any other organization that employs, engages or otherwise uses the services of any governmental affairs agent to influence legislation, regulations or governmental processes.

Lobbying means any act, whether written, verbal, or non-verbal, that seeks to influence legislation, regulation or governmental processes, or any communication with or securing information from governmental officers.

Governmental Officer means an officer or staff member of the Executive Branch of State Government, authorized by law to administer governmental processes or perform other functions related to such processes.

Governmental Processes shall include but is not limited to the promulgation of any executive order; rate setting; development, negotiation, award, modification

or cancellation of a public contract; issuance, denial, modification, renewal, revocation or suspension of licenses or waivers; procedures for purchasing; or rendition of administrative determinations.

IV. POLICY

A. The following non-exclusive list provides some examples of costs associated with activities that are unallowable:

1. Any attempt to influence the outcome of any federal, State, or local election, referendum, initiative, or similar procedures through in-kind or cash contributions, endorsements, publicity or similar activity.
2. Establishing, administering, contributing to, or paying the expense of a political party, campaign, political action committee or other organization established for the purpose of influencing the outcome of any election or legislative action.
3. Any attempt to influence the introduction of federal or State legislation or the enactment or modification of pending federal or State legislation through communication with a member or employee of the United States Congress or State legislature (including efforts to influence State or local officials to engage in similar lobbying activity), or with a government official or employee in connection with a decision to sign or veto legislation.
4. Any attempt to influence the introduction of federal or State legislation or the enactment or modification of pending federal or State legislation by preparing, distributing or using publicity or propaganda, or by urging other persons to contribute to or participate in any mass demonstration, march, rally, fund-raising drive, lobbying campaign, letter writing, telephone campaign, or similar activities.
5. Legislative liaison activities, including but not limited to attending legislative sessions or committee hearings, gathering information regarding legislation, and analyzing the effect of legislation, when the activities are carried on in support of or in preparation for an effort to engage in unallowable lobbying.
6. Notwithstanding any law or regulation to the contrary, funds provided by the Department of Children and Families may not be used for the costs of any efforts by or on behalf of the recipient for lobbying activities.

V. PROCEDURES

Unallowable lobbying costs, as identified in this policy, must be treated as other unallowable activity costs in accordance with the DCF Contract Reimbursement Manual.

Acting Commissioner